

## MAGISTRATE'S CRIMINAL MINUTES

ARRAIGNMENT  
PLEA AND  
SENTENCETime in Court: \_\_\_\_\_ Hrs 41 MinFiled in Open Court: Date: 10/25/2022 Time: 3:25 pm Tape: FTRMagistrate (presiding): LINDA T. WALKERDeputy Clerk: Traci Clements CampbellCase Number: 1:21-CR-139Defendant's Name: Daniel KayeAUSA: Samir KaushalDefendant's Attorney: Rebecca ShepardUSPO/PTR: USPO K. White

Type Counsel: ( ) Retained ( ) CJA (X) FPD ( ) Waived

ARREST DATE: \_\_\_\_\_

INTERPRETER: \_\_\_\_\_

☒ INITIAL APPEARANCE HEARING. (X) In THIS DISTRICT Dft in custody? (X) Yes ( ) No☒ Defendant advised of right to counsel. ( ) WAIVER OF COUNSEL filed.☒ ORDER appointing Federal Defender Program as counsel. ( ) INITIAL APPEARANCE ONLY.

ORDER appointing \_\_\_\_\_ as counsel.

ORDER giving defendant \_\_\_\_\_ days to employ counsel (cc: served by Mag CRD)

Dft to pay attorney fees as follows: \_\_\_\_\_

INFORMATION/COMPLAINT filed. \_\_\_\_\_ WAIVER OF INDICTMENT filed.

☒ Copy indictment/information given to dft? (X) Yes ( ) No Read to dft? ( ) Yes ( ) No (X) Prior to Hrg

CONSENT TO TRIAL BEFORE MAGISTRATE (Misd / Petty) offense filed.

☒ ARRAIGNMENT HELD. ( ) Superseding indictment / information ( ) Dft's WAIVER of appearance filed.

Arraignment continued to \_\_\_\_\_ at \_\_\_\_\_ Request of ( ) Govt ( ) Dft

Dft failed to appear for arraignment. Bench warrant issued \_\_\_\_\_

☒ Dft enters PLEA OF NOT GUILTY. ( ) Dft stood mute; plea of NOT GUILTY entered. ( ) Waiver of appearance.

MOTION TO CHANGE PLEA, and order allowing same.

☒ ASSIGNED TO JUDGE J.P. Boulee for (X) trial ( ) arraignment/sentence. Dft intends to enter a guilty plea.

ASSIGNED TO MAGISTRATE \_\_\_\_\_ for pretrial proceedings.

☒ Estimated trial time: \_\_\_\_\_ days. (X) SHORT ( ) MEDIUM ( ) LONG

PRE-SENTENCE INVESTIGATION filed. Referred to USPO for PSI and continued

until \_\_\_\_\_ at \_\_\_\_\_ for sentencing.

ARRAIGNMENT - Pg. 2

Case No.: 1:21-cr-139  
Defendant: Daniel Kaye

  X   Government MOTION FOR DETENTION filed. Hearing set for   10/31/2022   at   10:00 AM    
  X   Temporary commitment issued.

**BOND/PRETRIAL DETENTION HEARING**

       BOND / PRETRIAL DETENTION hearing held.  
       Government MOTION FOR DETENTION ( ) GRANTED ( ) DENIED ( ) WITHDRAWN  
       WRITTEN ORDER TO FOLLOW.  
       HEARING HELD on motion for reduction / modification of bond.  
       Motion for reduction / modification of Bond ( ) GRANTED ( ) DENIED.  
       WRITTEN ORDER TO FOLLOW.  
       BOND SET at \_\_\_\_\_  
       Non-surety  
       Surety ( ) Cash ( ) Property ( ) Corporate surety ONLY  
       SPECIAL CONDITIONS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
       Bond filed; defendant released.  
       Bond NOT EXECUTED. Defendant to remain in Marshal's custody.

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ARRAIGNMENT - Pg. 2

Case No.: 1:21-cr-139  
Defendant: Daniel Kaye

**MISC: MAGISTRATE JUDGE'S ORDER**

- ☒ Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to disclose to the defendant all exculpatory evidence- that is, evidence that favors the defendant or casts doubt on the United States' case, as required by *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and ORDERS the United States to do so. The government has a duty to disclose any evidence that goes to negating the defendant's guilt, the credibility of a witness, or that would reduce a potential sentence. The defendant is entitled to this information without a request. Failure to disclose exculpatory evidence in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanctions by the Court.
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